

Our quality of service, your quality of life

Stormwater and Erosion Control Ordinance

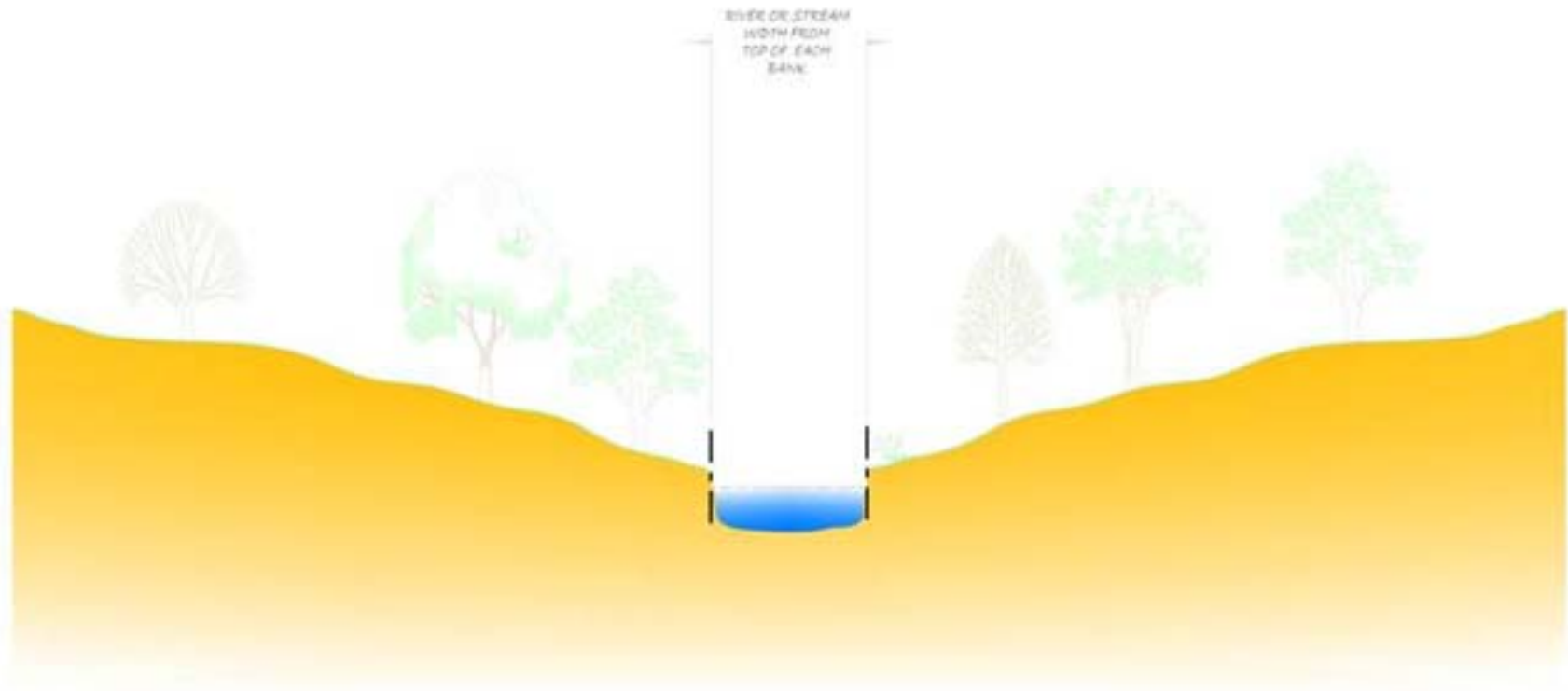
August 9, 2007



Questions

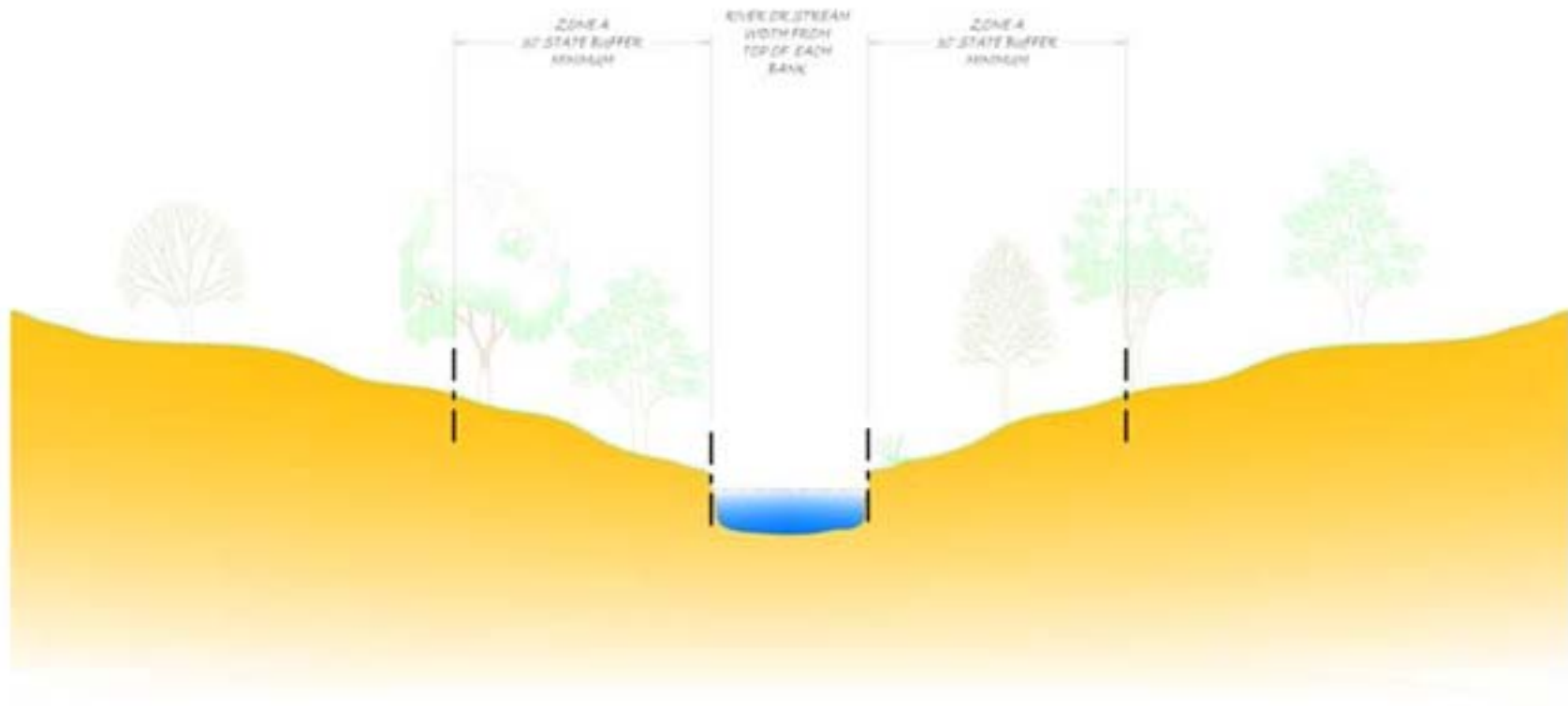
1. What is the recommendation for buffers?
2. Why is City staff recommending an additional 20 feet buffer?
3. When are exceptions allowed? Who approves the exception?
4. What is the impact of putting these buffers in place on property?
5. How was the stakeholder group selected?
6. How will the new floodplain maps affect staff's recommendation?
7. Are there existing buffers in place now? What are they?
8. How will this recommendation impact greenways?
9. If this goes into effect, will people be able to clean debris and trees out of their streams?

1. Staff Recommendation?



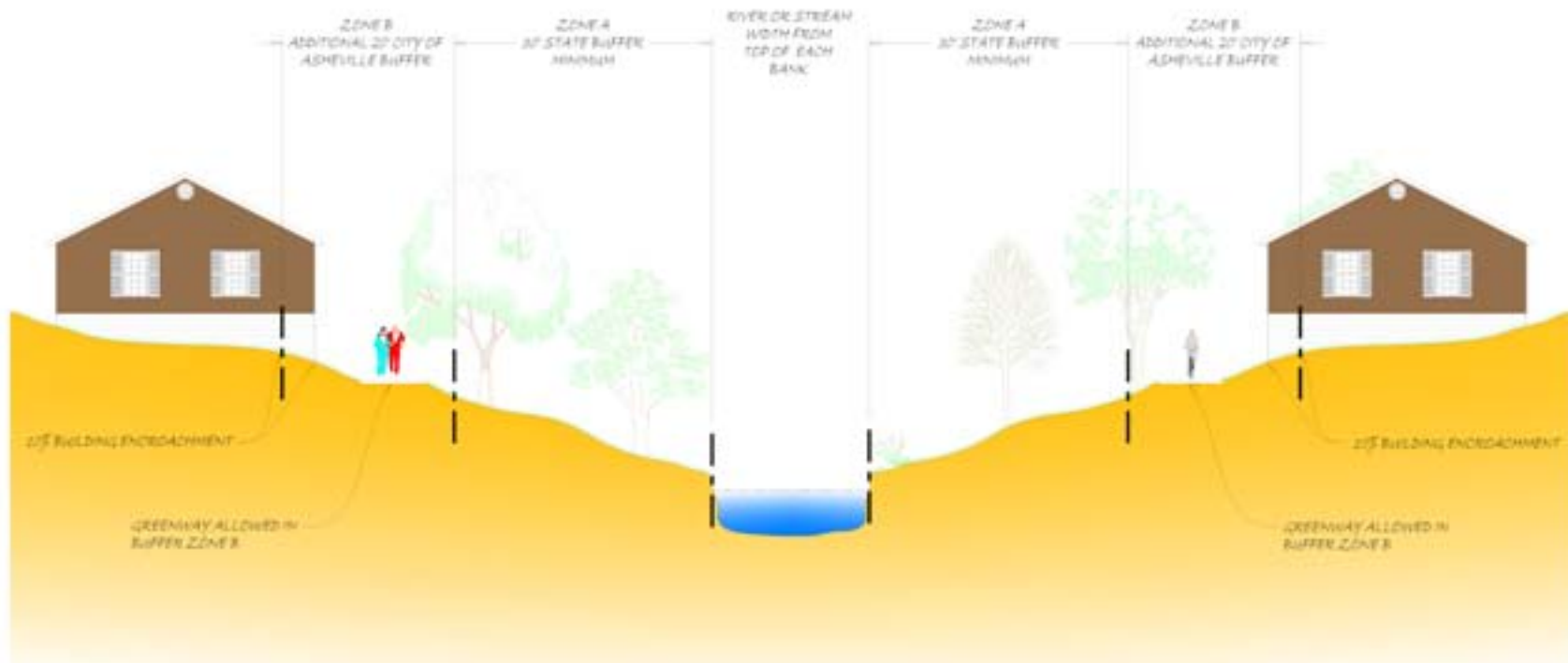
AQUATIC BUFFERS

1. Staff Recommendation?



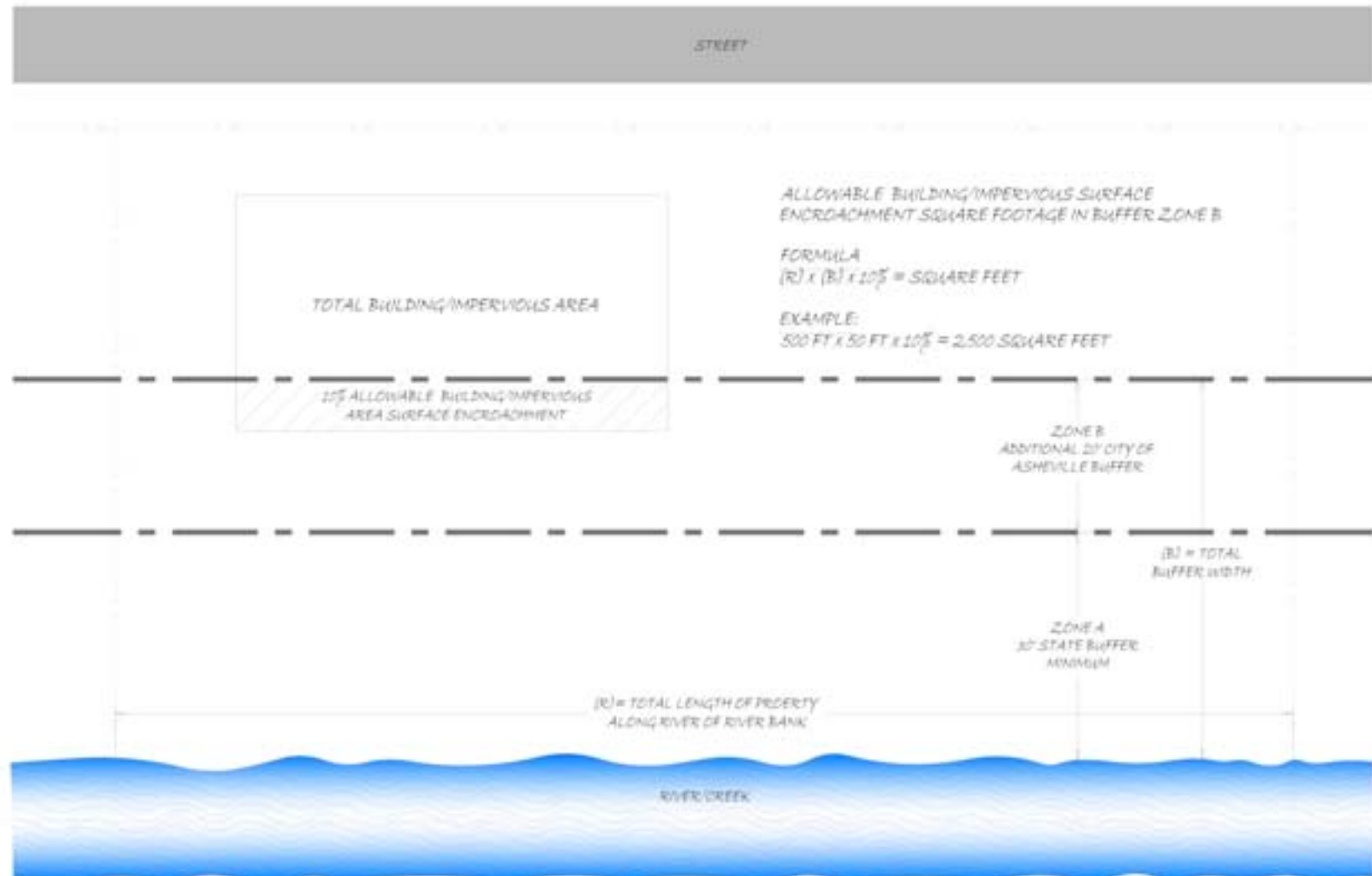
AQUATIC BUFFERS
(STATE MINIMUM)

1. Staff Recommendation?



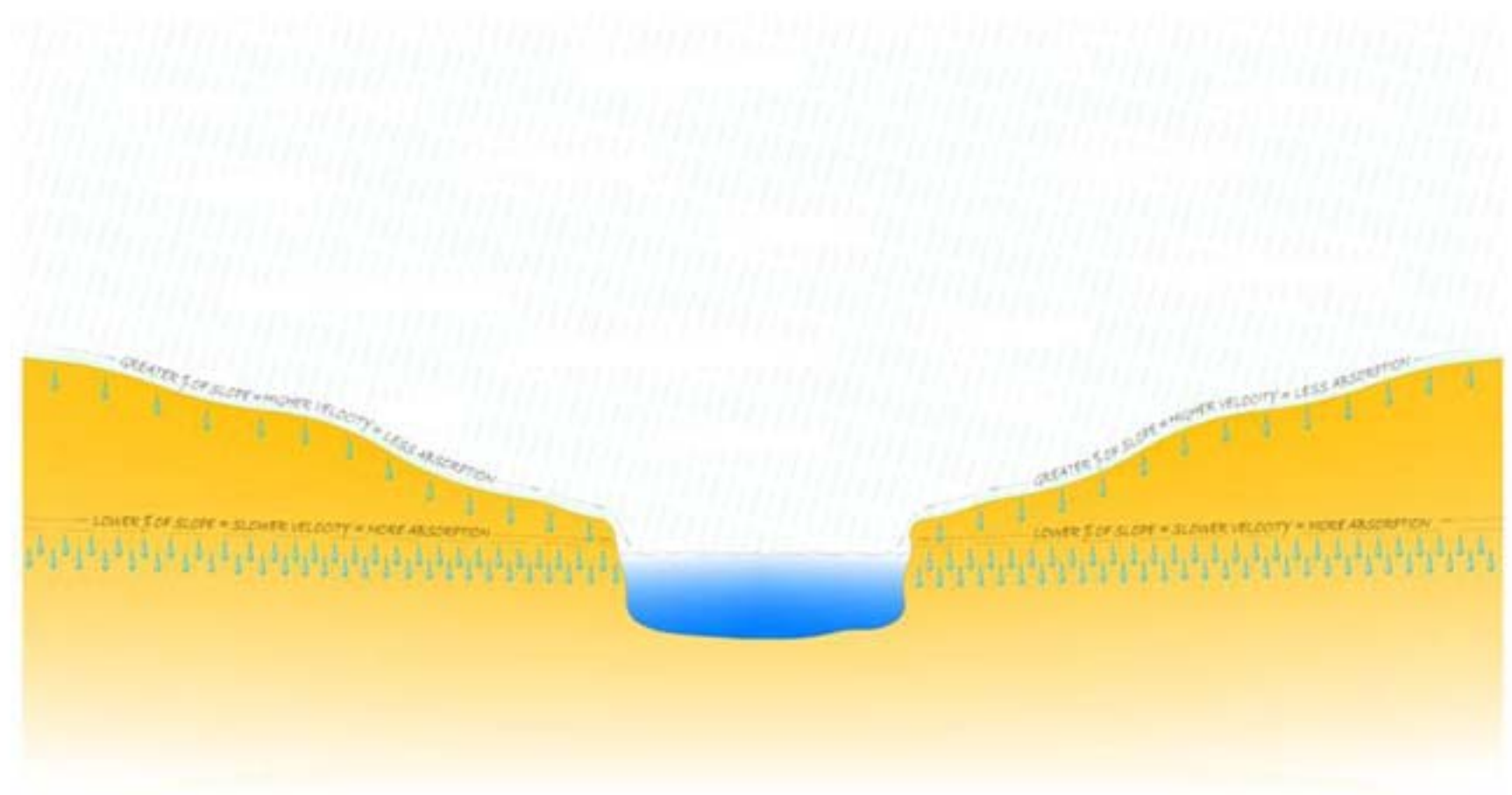
*AQUATIC BUFFERS
(STAFF RECOMMENDATION)*

1. Staff Recommendation?



HOW TO CALCULATE 10% ENCROACHMENT SQUARE FOOTAGE

2. Additional 20 foot buffer?



MOUNTAINS VS. FLAT LAND

2. Additional 20 foot buffer?

Technical Documents Handouts on Buffer Facts and Width Studies are Available

Link to Asheville's FTP site contains All Buffer Handouts and Other Information

ftp://www.ashevillenc.gov/Engineering/Stormwater_Services/Buffer_Information

Other Useful Links

www.cwp.org

<http://www.stormwaterauthority.org>

http://www.stormwaterauthority.org/assets/buffer_zones.pdf

http://www.forester.net/sw_0611_successful.html

<http://www.epa.gov/waterscience/guide/stormwater/>

<http://www.epa.gov/nrmrl/pubs/625r93004/625r93004.pdf>

<http://www.epa.gov/ednnrmrl/>

3. Exceptions?

1. Taking of property

- **Defined by State**
- **Staff Decision**

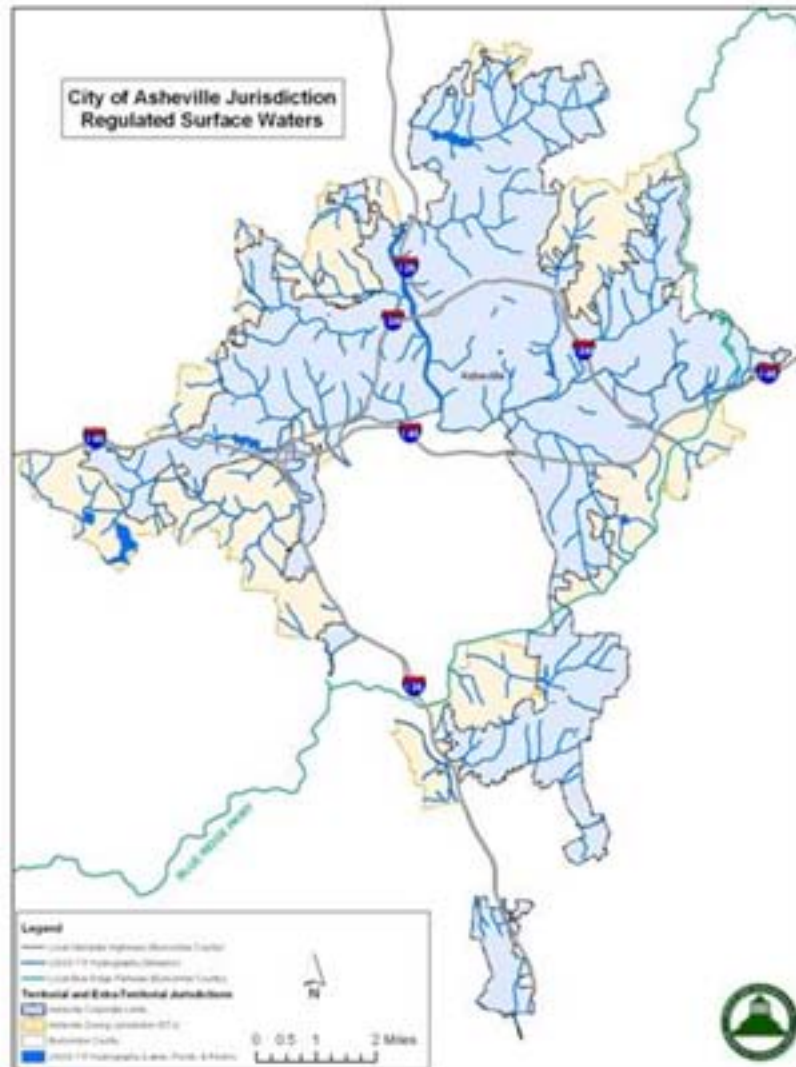
2. No practical alternatives

- **Defined by State**
- **Staff Decision**

3. Hardship

- **Defined in UDO**
- **Defined by State**
- **Board of Adjustments**

4. Impact?





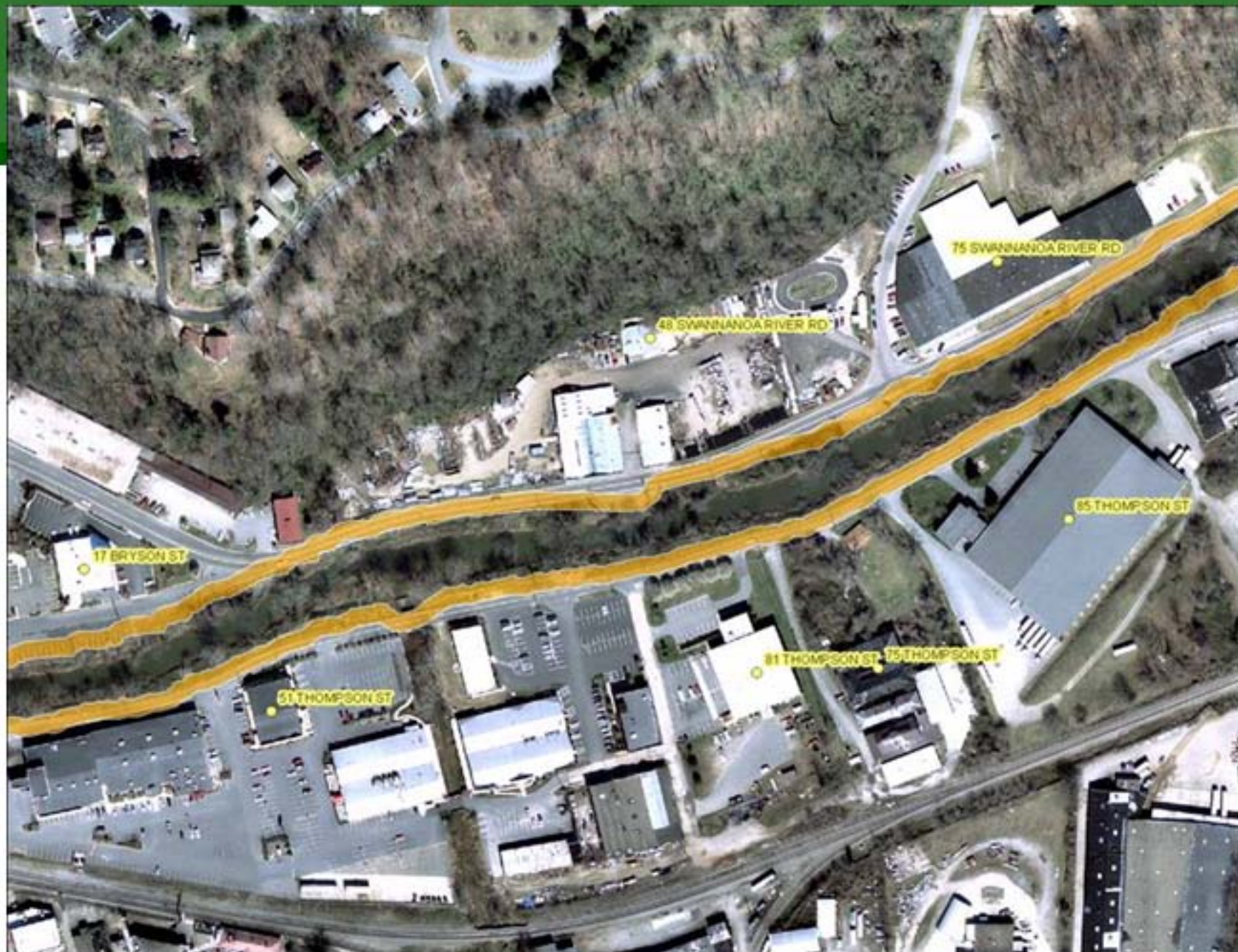


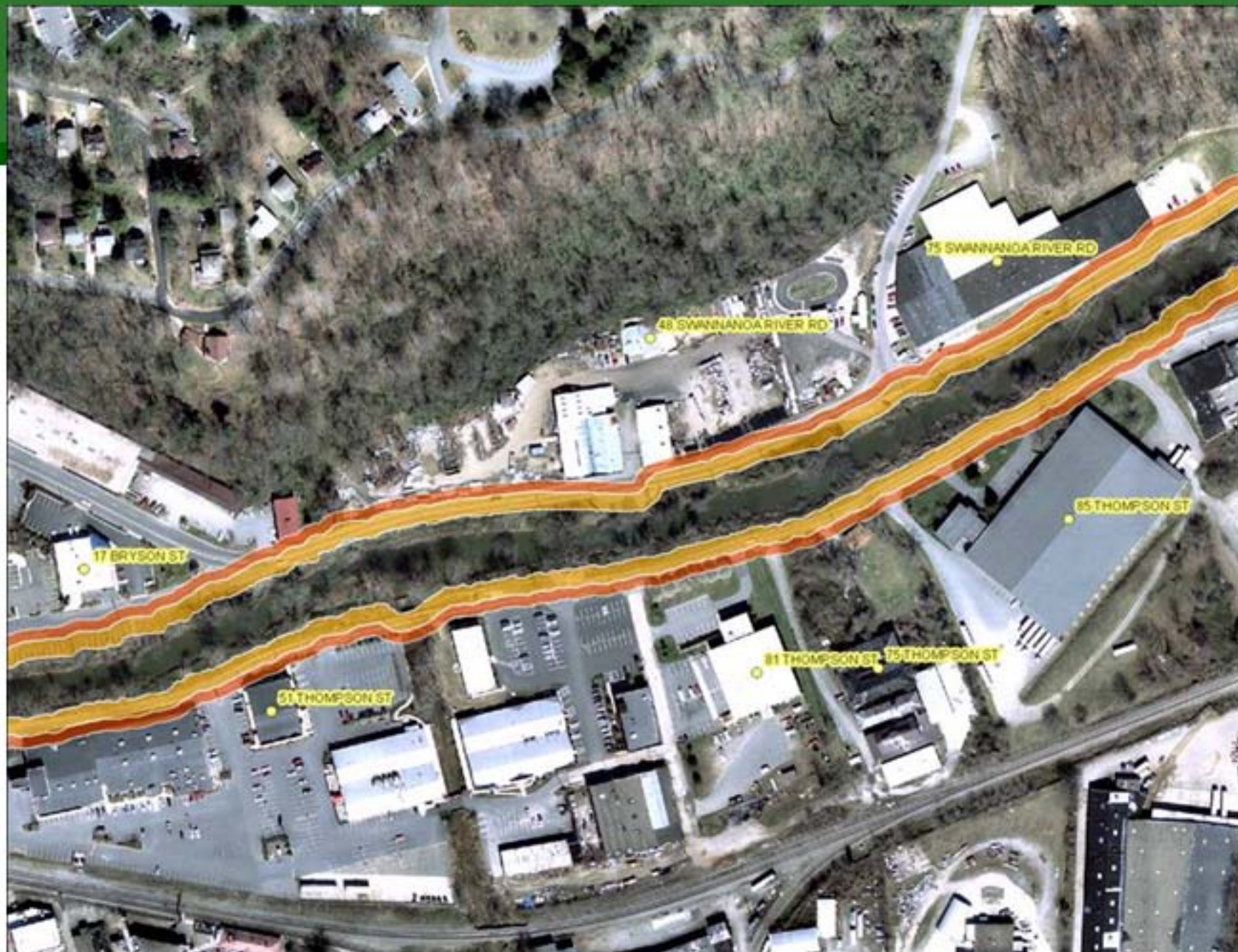
















644 NEWHAWK CREEK RD

4 PERSIMMON LN

50 DOGWOOD GROVE RD

631 NEWHAWK CREEK RD

3 DOGWOOD GROVE RD

634 NEWHAWK CREEK RD

65 PINE DALE RD

48 PINE DALE RD

15 KEENAN RD

40 PINE SPRING DR



644 NEWHAW CREEK RD

4 PERSIMMON LN

50 DOGWOOD GROVE RD

631 NEWHAW CREEK RD

3 DOGWOOD GROVE RD

624 NEWHAW CREEK RD

65 PINEDALE RD

48 PINEDALE RD

15 KEENAN RD

40 PINE SPRING DR











5. Stakeholders?

- City Manager's Development Review Team
- CIBO
- **CAN**
- **Riverlink**
- Asheville Homebuilders Association
- **Property Owners**
- UNCA
- Mission Hospital
- AB Tech
- Biltmore Village
- Planning and Zoning Commission
- **State of NC**
- Green Builders
- Cooperative Extension
- Chamber of Commerce
- Asheville Board of Realtors
- **Manufacturers Association**
- **Landscape Architects**
- **Engineers**
- Architects
- Attorneys
- **Sustainable Economic Development Task Force**
- Housing Authority
- Affordable Housing
- **Buncombe County**

6. New Floodplain Maps?



7. Existing Buffers?

Current Buffer Rules Exist

The existing rules are from the NC Sedimentation Pollution Control Act

§ 113A-57. Mandatory standards for land-disturbing activity.

No land-disturbing activity subject to this Article shall be undertaken except in accordance with the following mandatory requirements:

(1) No land-disturbing activity during periods of construction or improvement to land shall be permitted in proximity to a lake or natural watercourse unless a buffer zone is provided along the margin of the watercourse of sufficient width to confine visible siltation within the twenty-five percent (25%) of the buffer zone nearest the land-disturbing activity. Waters that have been classified as trout waters by the Environmental Management Commission shall have an undisturbed buffer zone 25 feet wide or of sufficient width to confine visible siltation within the twenty-five percent (25%) of the buffer zone nearest the land-disturbing activity, whichever is greater. Provided, however, that the Sedimentation Control Commission may approve plans which include land-disturbing activity along trout waters when the duration of said disturbance would be temporary and the extent of said disturbance would be minimal. This subdivision shall not apply to a land-disturbing activity in connection with the construction of facilities to be located on, over, or under a lake or natural watercourse.

7. Existing Buffers?

Current Buffer Rules Exist

The existing rules buffer rules are located in the current City of Asheville Erosion Control Ordinance.

The State of North Carolina through NCDENR provides information for determining these existing buffer widths as follows:

For Trout Waters minimum 25' and for other Jurisdictional Waters the width is based on slope to top of bank

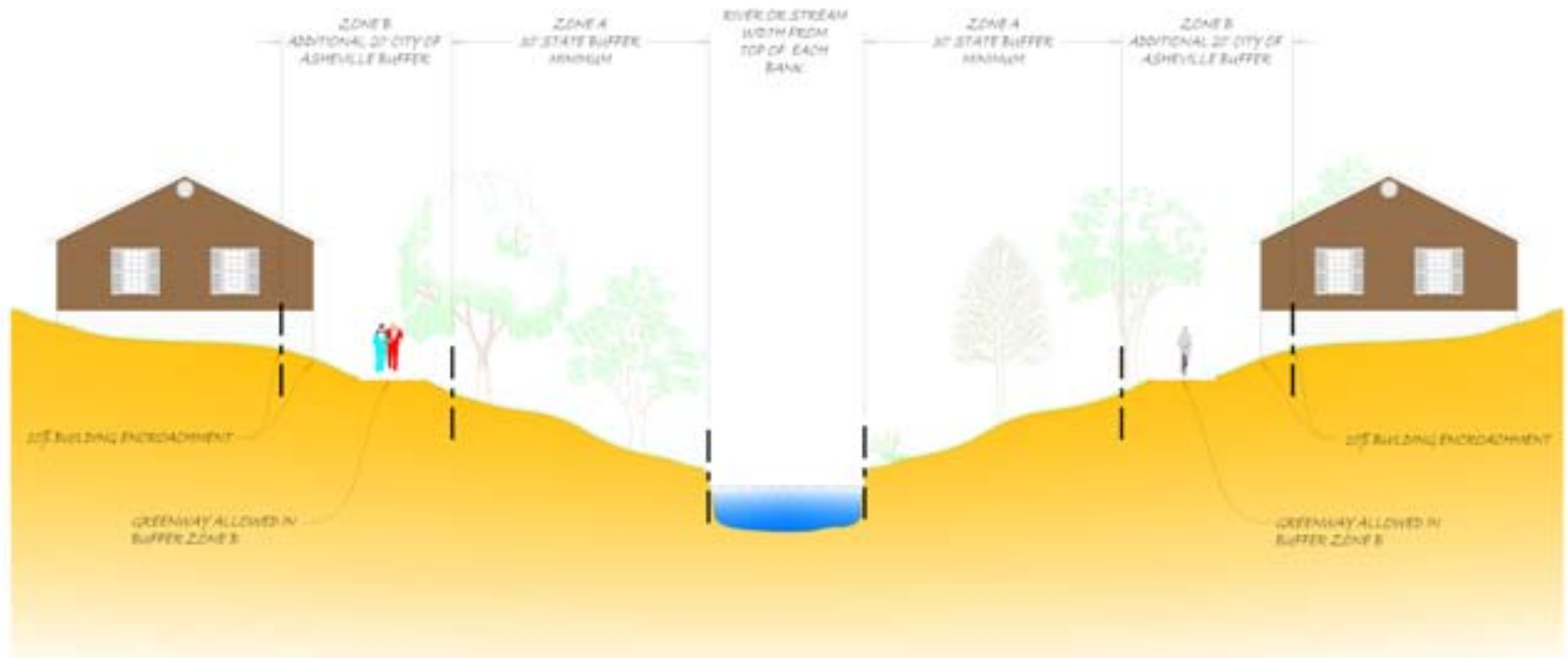
% Natural Slope From Top of Bank Through Buffer = 0 - 1 %	Minimum Buffer Width = 15'
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% Natural Slope From Top of Bank Through Buffer = 1-3 %	Minimum Buffer Width = 20'
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% Natural Slope From Top of Bank Through Buffer = 3-5 %	Minimum Buffer Width = 25'
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% Natural Slope From Top of Bank Through Buffer Greater than 5 %	Buffer Width = 25 Feet + (%slope - 5)
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8. Greenways?



*AQUATIC BUFFERS
(STAFF RECOMMENDATION)*

9. Debris?

YES